

FILED

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

MAR 22 2010

**SECRETARY, BOARD OF
OIL, GAS & MINING**

IN THE MATTER OF THE REQUEST FOR :
AGENCY ACTION OF ENERPLUS :
RESOURCES (USA) CORPORATION FOR AN :
ORDER TO FORCE POOL THE INTERESTS OF :
ALL OWNERS REFUSING OR FAILING TO :
AGREE TO LEASE THEIR INTEREST OR :
OTHERWISE BEAR THEIR PROPORTIONATE :
SHARE OF THE COSTS OF DRILLING AND :
PRODUCTION OPERATIONS OF THE LIVSEY :
25-15 WELL DRILLED IN SECTION 25, :
TOWNSHIP 2 SOUTH, RANGE 1 WEST, :
USM, Uintah County, Utah. :
:
:
:

**SUPPLEMENTAL
CERTIFICATE OF
SERVICE BY
PUBLICATION**

Docket No.: 2010-013

Cause No.: 131-128

Enerplus Resources (USA) Corporation ("Petitioner"), by and through its attorneys, Holme Roberts & Owen, hereby certifies that the Request for Agency Action published in the following newspapers: Salt Lake Tribune and Deseret News in Salt Lake City and County and in the Uintah Basin Standard, in Duchesne County, Utah as evidenced by the attached Affidavits of Publication.

DATED this 22nd day of March, 2010.

HOLME ROBERTS & OWEN

By: Mark L. Burghardt
A. John Davis
Mark L. Burghardt
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Salt Lake City, Utah 84111
(801) 521-5800

PROOF OF PUBLICATION

CUSTOMER'S

SHIPMENT NAME AND ADDRESS	SHIPMENT NUMBER
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AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY CORPORATION LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT FOR GAS AND MINING FOR HOLME ROBERTS & OWEN LLP, WAS PUBLISHED BY THE NEWSPAPER AGENCY CORPORATION, SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALSALES.COM AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALSALES.COM INDEFINITELY.

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DATE 3/16/2010

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[illegible]

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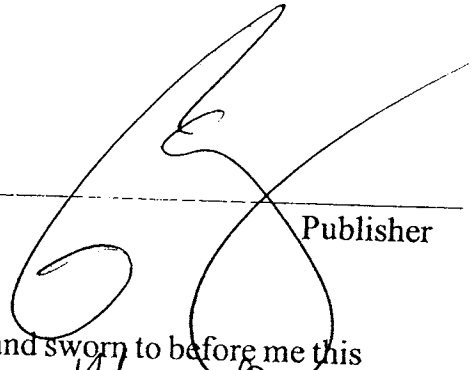


Virginia Craft

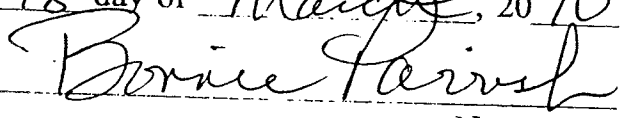
AFFIDAVIT OF PUBLICATION

County of Duchesne,
STATE OF UTAH

I, Craig L. Ashby on oath, say that I am the PUBLISHER of the Uintah Basin Standard, a weekly newspaper of general circulation, published at Roosevelt, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue such newspaper for 3 consecutive issues, and that the first publication was on the 2 day of March, 20 10, and that the last publication of such notice was in the issue of such newspaper dated the 16 day of March, 20 10, and that said notice was published on Utahlegals.com on the same day as the first newspaper publication and the notice remained on Utahlegals.com until the end of the scheduled run.



Publisher

Subscribed and sworn to before me this
18 day of March, 20 10


Notary Public



BEFORE THE BOARD OF OIL, GAS AND MINING DEPARTMENT OF NATURAL RESOURCES STATE OF UTAH

NOTICE OF HEARING REGARDING:

Docket No. 2010-013,
Cause No. 131-128

IN THE MATTER
OF THE REQUEST
FOR AGENCY AC-
TION OF ENERPLUS
RESOURCES (USA)
CORPORATION FOR
AN ORDER TO FORCE
POOL THE INTERESTS
OF ALL OWNERS RE-
FUSING OR FAILING
TO AGREE TO LEASE
THEIR INTEREST OR
OTHERWISE BEAR
THEIR PROPORTION-
ATE SHARE OF THE
COSTS OF DRILLING
AND PRODUCTION
OPERATIONS OF THE
LIVSEY 25-15 WELL
DRILLED IN SEC-
TION 25, TOWNSHIP
2 SOUTH, RANGE 1
WEST, USM, UINTAH
COUNTY, UTAH.

ENERPLUS RE-
SOURCE (USA) COR-
PORATION TO:

Notice is hereby given
that the Board of Oil, Gas
and Mining ("Board"),
State of Utah, will con-
duct a hearing on Wednes-
day, March 24, 2010 at
8:00 a.m., or as soon as
possible thereafter, in
the Auditorium of the
Department of Natural
Resources, 1594 West
North Temple, Salt Lake
City, Utah.

The hearing will be
conducted as a formal
administrative adjudica-
tion in accordance with
the rules of the Board as
set forth in Utah Adminis-
trative Code R641 et seq.
as provided for by Utah
Code Ann. § 40-6-1 et
seq. and Utah Code Ann.
§ 63-46b-1 et seq.

The purpose of the
proceeding will be for
the Board to receive
testimony and evidence
regarding an order:

1. Force pooling all
non-consenting and non-
locateable mineral inter-
est owners in Section
25, Township 2 South,
Range 1 West, USM and
apportioning the costs of
drilling, operation and
production of the Livsey
25-15 Well already drilled
in subject Section 25 and

assessing to such owners a non-consent penalty as provided by Utah Code Ann. §40-6-6.5 of not less than 150% or more than 300% of certain costs of drilling and completing the Livsey 25-15 Well, together with reasonable interest as just and reasonable compensation to the consenting owners.

2. Providing for a weighted average royalty payable to such non-consenting and nonlocateable Owners in subject Section 25.

3. Providing for such other and further relief as may be just and equitable under the circumstances.

Devon Energy Production Company, L.P., Croff Oil Company, El Paso E&P Company, L.P., Slover Minerals, L.P., Dusty Sanderson and C.D. LaSusa, as unleased owners and Aaron D. Rasmussen, Max D. Rasmussen, Michael D. Pierson, Deanna Kay Sargeant, Nicole Massey, Julie Massey and Naomi Allred a/k/a Naomi Allred Roll, as unleased and unlocatable owners and all other persons claiming any right, title or interest in or to the oil and gas produced from the reservoir beneath the real property described herein should contact Enerplus Resources (USA) Corporation at 1-(720) 279-5500, or at 1700 Lincoln Street, Denver, CO 80203 regarding the opportunity to lease. Additionally, each of the owners named in this paragraph and all other person claiming any right, title, or interest in or to the oil and gas produced from the reservoir beneath the real property described herein who has not previously been given the opportunity to participate, has the opportunity to participate in the Livsey 25-15 Well by entering into a joint operating agreement and by paying their portion of the costs of drilling and completing said well.

Failure to respond to this Request for Agency Action or to participate in the Livsey 25-15 Well by entering into a lease or by paying the owners' portion of the drilling and completing costs for said well, will result in the owners named in the above paragraph being deemed non-consent and therefore subject to force pooling and a non-consent penalty to be imposed by the board at the hearing.

Objections to this matter shall be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. Objections filed later may be considered by the Board at or before the regularly scheduled hearing for good cause shown.

Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts. Attorney representation may be waived by the Board upon petition and good cause shown.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the Secretary of the Board, 1594 W. North Temple, Suite 1210, Salt Lake City, Utah 84116, or copies obtained by contacting Petitioner's counsel A. John Davis at the address and telephone number listed below. A party who fails to attend or participate in the hearing may be held in default.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Carter at (801) 538-5277, at least three working days prior to the hearing date.

Dated this 18th day of February, 2010.

HOLME, ROBERTS & OWEN

By: /s/ A. John Davis
/s/ Mark L. Burghardt
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84111

(801) 521-5800

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